

**AGENDA
URBAN COUNTY PLANNING COMMISSION
SUBDIVISION & ZONING ITEMS PUBLIC HEARING**

December 13, 2012

- I. CALL TO ORDER** - The meeting will be called to order at 1:30 p.m. in the Council Chambers, Urban County Government Building, 200 East Main Street, Lexington, Kentucky.
- II. APPROVAL OF MINUTES** – The minutes of the October 25, 2012, Planning Commission meeting will be considered at this time.
- III. POSTPONEMENTS OR WITHDRAWALS** – Requests for postponement and withdrawal will be considered at this time.
- IV. RECONSIDERATION OF ZONING ITEM**

1. URBAN COUNTY PLANNING COMMISSION ZONING MAP AMENDMENT

Note: The Planning Commission considered this request at its public hearing on November 15, 2012, and a motion for approval received a tie vote of 4-4. Under the requirements of KRS 100.211(1), the Planning Commission's tie vote "shall be subject to further consideration" within 30 days.

- a. MAR 2012-17: URBAN COUNTY PLANNING COMMISSION - petition for a zone map amendment to a Neighborhood Design Character Overlay (ND-1) zone for 52.68± net (59.72± gross) acres, for properties located at 1200-1280 Colonial Drive; 4009-4021 John Alden Lane; 4004-4025 Mayflower Lane; 1228-1273 and 1290 Standish Way; and 2492-2516 Versailles Road (even addresses only).

Proposed Design Standards:

1. One new accessory structure, not exceeding a maximum of 180 sq. ft. with a 12 ft. maximum roof height limitation, shall be permitted to be located and constructed in the rear yard area of each home.

(Note: All existing accessory structures shall be deemed approved and permitted to remain. Said existing structures may be improved and/or replaced by new structures so long as the improvements do not exceed the existing footprint or alter the general character of the existing structures.)

2. No new front yard fencing shall be permitted with the exception of those homes fronting on Versailles Road.

(Note: "Front Yard" shall be deemed to mean all that yard area located between the nearest points of the front of the house to its frontage roadway's right-of-way line. New and existing side and rear fencing shall continue to be approved in accordance with existing zoning restrictions.)

3. Floor area to lot size ratio shall be limited to 25% maximum.

LAND USE PLAN AND PROPOSED USE

The 2007 Comprehensive Plan (Sector 4) recommends Low Density Residential (LD) land use for the neighborhood. The Planning Commission has initiated a zone change request to add a Neighborhood Design Character Overlay (ND-1) zone in order to regulate accessory structures, fencing and floor area ratio (FAR) regardless of the underlying zoning.

The Zoning Committee made **no recommendation** on this item.

The Staff Recommends: **Approval of the ND-1 overlay zone with the Staff Alternative Design Standards**, for the following reason:

1. The requested Neighborhood Design Character (ND-1) overlay zone is in agreement with the 2007 Comprehensive Plan and the Goals and Objectives of the 2012 Comprehensive Plan for the following reasons:
 - a. The Goals and Objectives of the 2007 Plan identify eight overriding themes, one of which is "preserving, protecting, and maintaining existing residential neighborhoods in a manner that ensures stability and the highest quality of life for all residents." This will be enhanced with this zoning overlay for The Old Colony neighborhood. Further, Goal 15, Objective I states that neighborhood protection overlay zoning provisions should be implemented for establishing stability and protection in existing and, especially, older neighborhoods.
 - b. The Goals and Objectives of the 2012 Comprehensive Plan support the development of ND-1 Overlay zones to enable neighborhoods to flourish (Theme A.3.a).
 - c. The implementation of a Neighborhood Design Character (ND-1) Overlay zone is in agreement with the Comprehensive Plan's Goals & Objectives by providing specific standards that will maintain the existing character of the neighborhood, independent of the underlying zoning.
 - d. The Old Colony neighborhood has completed a design character study, defined the existing character of the neighborhood, developed preservation goals, and proposed appropriate neighborhood design standards (in need of only slight modification), thus meeting the requirements of the ND-1 zone.

* - Denotes date by which Commission must either approve or disapprove plan.

2. Under the provisions of Article 6-7 of the Zoning Ordinance, the following use restrictions are proposed for the subject property via conditional zoning:

Alternative Design Standards (Additions are identified by an underline, and deletions to the original proposal are identified by a ~~strikethrough~~.)

1. One new accessory structure, not exceeding a maximum of 180 sq. ft. with a 12 ft. maximum roof height limitation, shall be permitted to be located and constructed in the rear yard area of each home.

~~(Note: All existing accessory structures shall be deemed approved and permitted to remain. Said existing structures may be improved and/or replaced by new structures so long as the improvements do not exceed the existing footprint or alter the general character of the existing structures.)~~

2. No new front yard fenceesing or freestanding walls shall be permitted, with the exception of those homes fronting on Versailles Road.

i. Retaining walls shall be permitted on all properties, subject to a maximum height of 18 inches above the unbalanced fill in the front yard.

~~(Note: "Front Yard" shall be deemed to mean all that yard area located between the nearest points of the front of the house to its frontage roadway's right-of-way line. New and existing side and rear fencing shall continue to be approved in accordance with existing zoning restrictions.)~~

3. ~~Floor area to lot size ratio~~Lot coverage shall be limited to a maximum of 25%~~maximum~~.

These restrictions are appropriate, given the study undertaken to identify the existing neighborhood character by The Colony Neighborhood Association (Residents, Inc.), and are necessary to maintain that existing character of the neighborhood in the future.

- V. **LAND SUBDIVISION ITEMS** - The Subdivision Committee met on Thursday, December 6, 2012, at 8:30 a.m. The meeting was attended by Commission members: Will Berkley, Frank Penn, Mike Owens, Carolyn Plumlee and Karen Mundy. Committee members in attendance were: Hillard Newman, Division of Engineering; and Jeff Neal, Division of Traffic Engineering. Staff members in attendance were: Chris King, Tom Martin, Traci Wade, Chris Taylor, Dave Jarman, Denice Bullock, Jimmy Emmons and Cheryl Gallt, as well as Captain Charles Bowen, Division of Fire & Emergency Services; and Tracy Jones, Department of Law. The Committee made recommendations on plans as noted.

General Notes

The following automatically apply to all plans listed on this agenda unless a waiver of any specific section is granted by the Planning Commission.

1. *All preliminary and final subdivision plans are required to conform to the provisions of Article 5 of the Land Subdivision Regulations.*
2. *All development plans are required to conform to the provisions of Article 21 of the Zoning Ordinance.*

- A. **NO DISCUSSION ITEMS** – Following requests for postponement or withdrawal, items requiring no discussion will be considered.

Criteria: (1) the Subdivision Committee recommendation is for approval, as listed on this agenda, and
(2) the Petitioner agrees with the Subdivision Committee recommendation and conditions listed on the agenda,
and
(3) no discussion of the item is desired by the Commission, and
(4) no person present at this meeting objects to the Commission acting on the matter without discussion, and
(5) the matter does not involve a waiver of the Land Subdivision Regulations.

- B. **DISCUSSION ITEMS** – Following requests for postponement, withdrawal and no discussion items, the remaining items will be considered.

The procedure for consideration of these remaining plans is as follows:

- Staff Report(s)
- Petitioner's Report(s)
- Citizen Comments – (a) in support of the request, and (b) in opposition to the request
- Rebuttal – (a) petitioner's comments, (b) citizen comments, and (c) staff comments
- Commission discusses and/or votes on the plan

1. **PRELIMINARY SUBDIVISION PLANS**

- a. PLAN 2012-113P: TUSCANY, UNIT 9 (12/30/12)* - located at 1970 Winchester Road (a portion of).
(Council District 6) **(EA Partners)**

* - Denotes date by which Commission must either approve or disapprove plan.

Note: The Planning Commission continued this item from their November 8, 2012, meeting.

The Subdivision Committee Recommended: **Postponement**. There are several internal street issues that need to be addressed concerning street connectivity, patterns and stub streets to undeveloped residential areas.

Should this plan be approved, the following conditions should be considered:

1. Urban County Engineer's acceptance of drainage, storm, and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscaping.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree preservation plan and required street tree information.
6. Bike and Pedestrian Planner's approval of bike trails and pedestrian facilities.
7. Discuss connections to future development areas to the northeast and southwest.
8. Discuss timing of street connectivity to Battery Street.
9. Discuss proposed street pattern and the number of lots served by only one access.
10. Discuss plan boundaries.
11. Discuss electric utility crossing of existing gas easement.

2. **FINAL SUBDIVISION PLANS**

- a. PLAN 2012-129F: LAKEVIEW ESTATES, UNIT 2-E, BLK K, LOT 2 (AMD) (2/13/13)* - located at 519 Laketower Drive. (Council District 5) **(Vision Engineering)**

Note: The purpose of this amendment is to subdivide one lot into two lots.

The Subdivision Committee Recommended: **Approval**, subject to the following conditions:

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscaping.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree protection area(s) and required street tree information.
6. Addition of utility and street light easement(s) as required by the utility companies and the Urban County Traffic Engineer.
7. Correct numbering on curve/radius chart.
8. Addition of date on floodplain information.
9. Resolve proposed lotting conflict with final development plan.
10. Resolve possible need for access easements on Lots 2A & 2E (across new property line).

- b. PLAN 2012-130F: HAMBURG EAST, LOTS 2, 2A, 2B & 2C (AMD) (2/13/13)* - located at 2500 Polo Club Boulevard. (Council District 12) **(HDR Engineering)**

Note: The purpose of this amendment is to subdivide one lot into four lots and to dedicate a new public street.

The Subdivision Committee Recommended: **Approval**, subject to the following conditions:

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers and floodplain information.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscaping and arterial screening.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree protection area(s) and required street tree information.
6. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
7. Addition of minimum front yard setbacks (building lines).
8. Denote listing of private utility providers.
9. Addition of access easement maintenance certifications to plat.
10. Addition of landscape buffer areas along arterials.
11. Provided the Planning Commission grants a waiver to Article 4-7(d)(l) (substantial completion).

- c. PLAN 2012-131F: NATIONAL SUBDIVISION, UNIT 2, BLK B, LOT 1 (AMD) (2/13/13)* - located at 156 South Forbes Road. (Council District 2) **(2020 Land Surveying)**

Note: The purpose of this amendment is to subdivide one lot into two lots.

The Subdivision Committee Recommended: **Approval**, subject to the following conditions:

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.

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3. Building Inspection's approval of landscaping.
 4. Addressing Office's approval of street names and addresses.
 5. Bike and Pedestrian Planner's approval of bike trails and pedestrian facilities.
 6. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
 7. Denote graphic scale.
 8. Denote north arrow.
 9. Provide names and addresses for utility providers.
 10. Denote street address of lot on plat.
 11. Denote required landscape buffer adjacent to residential zone.
 12. Denote tree protection areas on Lot 1A.
 13. Resolve required certification relative to the provision of public sanitary sewer service.
 14. Provided the Planning Commission grants a waiver for street termination of Texaco Road.
- d. PLAN 2012-132F: PARK HILLS, UNIT 1C, LOT 1 (AMD) (2/13/13)* - located at 3100 Pimlico Parkway.
(Council District 8) **(Endris Engineering)**

Note: The purpose of this amendment is to reduce the building line along Pimlico Parkway, to create utility easements and to update property line distances and bearings.

The Subdivision Committee Recommended: **Approval**, subject to the following conditions:

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers.
 2. Urban County Traffic Engineer's approval of street cross-sections and access.
 3. Building Inspection's approval of landscaping.
 4. Addressing Office's approval of street names and addresses.
 5. Urban Forester's approval of tree protection area(s) and required street tree information.
 6. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
- e. PLAN 2012-133F: RESERVE AT WALNUT GROVE, UNIT 1E (3/5/13)* - located at 3820 Hatfield Lane.
(Council District 12) **(EA Partners)**

Note: This property requires the posting of a sign and an affidavit of such. The purpose of this plat is to subdivide one 80-acre lot into two 40-acre lots.

The Subdivision Committee Recommended: **Postponement**. There were questions regarding the need for a waiver and to amend an amended development plan.

Should this plan be approved, the following conditions should be considered:

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers.
 2. Urban County Traffic Engineer's approval of street cross-sections and access.
 3. Building Inspection's approval of landscaping.
 4. Addressing Office's approval of street names and addresses.
 5. Urban Forester's approval of tree protection area(s) and required street tree information.
 6. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
 7. Denote details of Urban Service Boundary screening on plat (easement, etc.).
 8. Addition of front setback line on both lots.
 9. Certification of development plan amendment to add a new access easement prior to plan certification.
 10. Provided the Planning Commission grants a waiver to Article 6-4 (c) of the Land Subdivision Regulations.
 11. Provided the Planning Commission makes a finding on the use of the access easement.
 12. Discuss location of access to Lot 2, and possible loss of open space.
- f. PLAN 2012-134F: HAMBURG PLACE FARM (SIR BARTON WAY OFFICE PARK) PHASE 2, LOTS 18A-18C (AMD) (2/13/13)* - located at 2540 Sir Barton Way. (Council District 6) **(Vision Engineering)**

Note: The purpose of this amendment is to subdivide one lot into three lots.

The Subdivision Committee Recommended: **Postponement**. There were questions regarding the termination of a proposed public street.

Should this plan be approved, the following conditions should be considered:

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscaping.
4. Addressing Office's approval of street names and addresses.

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5. Urban Forester's approval of tree protection area(s) and required street tree information.
6. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
7. Addition of utility and street light easement(s) as required by the utility companies and the Urban County Traffic Engineer.
8. Addition of north arrow.
9. Reorient vicinity map to match plat.
10. Addition of maintenance note for drainage and other easements.
11. Addition of 20' building line on Sanford Way frontage.
12. Remove Lot 17 from plat.
13. Dash adjoining lot lines.
14. Correct owner's certification.
15. Resolve status of Sanford Way as a public or private street and the need for a waiver.
16. Resolve improvements necessary to Sir Barton Way for new street.

- g. PLAN 2011-71F: MARK ACRE PROPERTY (SOUTH BROADWAY LAND, LLC) LOTS 1 & 2 (2/27/13)* - located at 502 South Broadway and 319 Cedar Street. (Council District 3) **(Endris Engineering)**

Note: The Planning Commission originally approved this plan at their July 14, 2011, meeting, subject to the following conditions:

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscaping.
4. Approval of street addresses as per e911 staff.
5. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
6. Clarify status of public infrastructure dedication and appropriate certifications.
7. Denote Plunkett Street sidewalk transition.
8. Addition of conditional zoning restrictions.
9. Resolve proposed utility easement conflict with dumpster location.

Note: The applicant now requests reapproval of the plan.

The Staff Recommended: **Reapproval**, subject to the original conditions.

3. **DEVELOPMENT PLANS**

- a. DP 2012-89: NEWMARKET PROPERTY, PH 1, UNIT 10 (1/29/13)* - located at 1501 Deer Haven Lane (a portion of). (Council District 12) **(EA Partners)**

Note: The Planning Commission postponed this plan at their November 8, 2012 meeting. This property requires the posting of a sign and an affidavit of such.

The Subdivision Committee Recommended: **Approval**, subject to the following conditions:

1. Urban County Engineer's acceptance of drainage, storm, and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscaping.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree preservation plan and required street tree information.
6. Department of Environmental Quality's approval of environmentally sensitive areas.
7. Greenspace Planner's approval of the treatment of greenways and greenspace.
8. Dash all adjacent property lines.
9. Provided the Planning Commission makes a finding that the plan complies with the provisions of the EAMP.
10. Denote that exaction fee amounts shall be determined at the time of Final Record Plat, to the approval of the Division of Planning.
11. Discuss the continuation of storm water management improvements proposed for the adjacent property.
12. Discuss status of constructed wetlands per the EAMP.
13. Discuss possible need for tree protection areas on lots 20-25 & 30-34, and possible easement conflicts.
14. Discuss proposed KU/sewer line easement conflict with proposed lotting.

- b. DP 2012-91: MICHAEL GENTRY, DVM PROPERTY, LOT 2 (AMD) (12/30/12)* - located at 101 Sand Lake Drive. (Council District 7) **(JE Black)**

Note: The Planning Commission postponed this plan at their November 8, 2012 meeting. The purpose of this amendment is to add a one-story building and parking on Lot 2.

* - Denotes date by which Commission must either approve or disapprove plan.

The Subdivision Committee Recommended: **Postponement**. There were questions regarding the sight distance for the proposed access at the rear of Lot 2.

Should this plan be approved, the following conditions should be considered:

1. Urban County Engineer's acceptance of drainage, storm, and sanitary sewers.
 2. Urban County Traffic Engineer's approval of street cross-sections and access.
 3. Building Inspection's approval of landscaping and landscape buffers.
 4. Addressing Office's approval of street names and addresses.
 5. Urban Forester's approval of tree preservation plan.
 6. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
 7. Division of Fire's approval of emergency access and fire hydrant locations.
 8. Division of Waste Management's approval of refuse collection.
 9. Denote adjacent property information.
 10. Addition of Lot 1 information to development plan.
 11. Addition of access information from adjacent lot to Sand Lake Drive.
 12. Extend sidewalk along Richmond Road frontage.
 13. Addition of grease trap note to the approval of the Division of Water Quality.
 14. Correct note #8.
 15. Addition of entrance detail note per previous plan.
 16. Discuss need for connection to Lot 1.
 17. Discuss Sand Lake Drive access alignment with Zaxby's property.
 18. Discuss access agreement to 50' access easement.
 19. Discuss note #9.
 20. Discuss note #15 (relative to note #12 on the approved plan).
- c. DP 2012-99: ARCADIA INVESTMENTS, LOTS 3, 4 & 5 (AMD) (2/13/13)* - located at 1590, 1600 and 1610 Leestown Road. (Council District 2) **(The Roberts Group)**

Note: The purpose of this amendment is to add a gas station and add buildable area.

The Subdivision Committee Recommended: **Approval**, subject to the following conditions:

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers.
 2. Urban County Traffic Engineer's approval of street cross-sections and access.
 3. Building Inspection's approval of landscaping and landscape buffers.
 4. Addressing Office's approval of street names and addresses.
 5. Urban Forester's approval of tree preservation plan.
 6. Division of Fire's approval of emergency access and fire hydrant locations.
 7. Division of Waste Management's approval of refuse collection.
 8. Resolve utility easement and building conflict prior to building permit on Lot 5.
- d. DP 2012-100: COVEY RIDGE DEVELOPMENT, LOT 1A (AMD) (2/13/13)* - located at 5521 Athens-Boonesboro Road. (Council District 12) **(The Roberts Group)**

Note: The purpose of this amendment is to increase the building floor area on an existing development.

The Subdivision Committee Recommended: **Approval**, subject to the following conditions:

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers.
 2. Urban County Traffic Engineer's approval of street cross-sections and access.
 3. Building Inspection's approval of landscaping and landscape buffers.
 4. Addressing Office's approval of street names and addresses.
 5. Urban Forester's approval of tree preservation plan.
 6. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
 7. Division of Fire's approval of emergency access and fire hydrant locations.
 8. Division of Waste Management's approval of refuse collection.
- e. DP 2012-101: COLDSTREAM RESEARCH CAMPUS, UNIT 1B, LOT 14B (2/13/13)* - located at 824 Bull Lea Road. (Council District 2) **(Strand & Associates)**

The Subdivision Committee Recommended: **Approval**, subject to the following conditions:

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscaping and landscape buffers.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree preservation plan.
6. Department of Environmental Quality's approval of environmentally sensitive areas.
7. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.

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8. Division of Fire's approval of emergency access and fire hydrant locations.
 9. Division of Waste Management's approval of refuse collection.
- f. DP 2012-102: COLDSTREAM RESEARCH CAMPUS, UNIT 3, LOT 7 (2/13/13)* - located at 1698 McGrathiana Parkway. (Council District 2) **(Strand & Associates)**

The Subdivision Committee Recommended: **Approval**, subject to the following conditions:

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers and floodplain information.
 2. Urban County Traffic Engineer's approval of street cross-sections and access.
 3. Building Inspection's approval of landscaping and landscape buffers.
 4. Addressing Office's approval of street names and addresses.
 5. Urban Forester's approval of tree preservation plan.
 6. Department of Environmental Quality's approval of environmentally sensitive areas.
 7. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
 8. Division of Fire's approval of emergency access and fire hydrant locations.
 9. Division of Waste Management's approval of refuse collection location.
 10. Complete tree canopy information and timing of tree planting plan.
 11. Denote access to existing pump station to the approval of the Division of Water Quality in accordance with third party agreement.
 12. Resolve cul-de-sac details (and possible median).
- g. DP 2012-103: HAMBURG EAST, LOT 2 (2/13/13)* - located at 2500 Polo Club Boulevard. (Council District 12) **(HDR Engineering)**

Note: This property requires the posting of a sign and an affidavit of such.

The Subdivision Committee Recommended: **Approval**, subject to the following conditions:

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers and floodplain information.
 2. Urban County Traffic Engineer's approval of street cross-sections and access.
 3. Building Inspection's approval of landscaping and landscape buffers.
 4. Addressing Office's approval of street names and addresses.
 5. Urban Forester's approval of tree preservation plan.
 6. Department of Environmental Quality's approval of environmentally sensitive areas.
 7. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
 8. Division of Fire's approval of emergency access and fire hydrant locations.
 9. Division of Waste Management's approval of refuse collection locations.
 10. Provided the Planning Commission makes a finding of significant compliance with the adopted Big Box Guidelines.
 11. Denote proposed easements.
 12. Provided the Planning Commission makes a finding of significant compliance with the EAMP.
 13. Addition of exaction information and amounts to the approval of the Division of Planning.
 14. Denote as a Preliminary Subdivision Plan in title.
 15. Discuss location of proposed right-in and right-out.
 16. Discuss proposed townhouse circulation and access.
 17. Discuss lighting proposed for canopy and stores.
 18. Discuss interior pedestrian system and outdoor amenities.
- h. DP 2012-104: LAKEVIEW ESTATES, UNIT 2B, BLK J & K, UNIT 2E (AMD) (2/13/13)* - located at 475, 503, 517 & 519 Laketower Circle. (Council District 5) **(Barrett Partners)**

Note: The purpose of this amendment is to add a six-story apartment building.

The Subdivision Committee Recommended: **Postponement**. There were questions regarding compliance with the height-to-yard ratio and conflict with proposed lotting.

Should this plan be approved, the following requirements should be considered:

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscaping and landscape buffers.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree preservation plan.
6. Department of Environmental Quality's approval of environmentally sensitive areas.
7. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
8. Division of Fire's approval of emergency access and fire hydrant locations.
9. Division of Waste Management's approval of refuse collection locations.
10. Addition of zoning information for duck pond area.

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11. Clarify square footage used in floor area calculation.
12. Discuss proposed lotting conflict with building location.
13. Discuss compliance with required building height-to-yard ratio.

- i. DP 2012-105: PARK HILLS SHOPPING CENTER, LOT 1 (AMD) (2/13/13)* - located at 3100 Pimlico Parkway.
(Council District 8) **(GRW)**

Note: The purpose of this amendment is to add a new restaurant with a drive-through facility.

The Subdivision Committee Recommended: **Approval**, subject to the following conditions:

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscaping and landscape buffers.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree preservation plan.
6. Division of Fire's approval of emergency access and fire hydrant locations.
7. Division of Waste Management's approval of refuse collection.
8. Denote as a "Final Development Plan" in plan title.
9. Identify B-6P/P-1 zoning boundary and denote 60' building line from that line.
10. Resolve owner's signatures for all lots affected.

- j. DP 2012-106: SOUTH ELKHORN VILLAGE (AMD) (2/13/13)* - located at 4379 Old Harrodsburg Road.
(Council District 10) **(EA Partners)**

Note: The purpose of this amendment is to add parking and an existing access point.

The Subdivision Committee Recommended: **Approval**, subject to the following conditions:

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers and floodplain information.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscaping and landscape buffers.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree preservation plan.
6. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
7. Division of Fire's approval of emergency access and fire hydrant locations.
8. Division of Waste Management's approval of refuse collection.
9. Dimension walkways and outdoor patio areas.
10. Dimension all access points.
11. Addition of applicable trees and landscaping information from approved development plan.
12. Addition of all applicable notes from approved development plan.
13. Delete parking note.
14. Resolve existing and proposed restaurant uses in relation to off-street parking requirements.

- k. DP 2012-107: HAMBURG PLACE FARM, SIR BARTON WAY OFFICE PARK, PH 2, LOT 18 (AMD) (2/13/13)* -
located at 2540 Sir Barton Way. (Council District 6) **(Vision Engineering)**

Note: The purpose of this amendment is to add an office use to Lot 18A.

The Subdivision Committee Recommended: **Postponement**. There were questions regarding the proposed access and the lack of improvements proposed to Sir Barton Way.

Should this plan be approved, the following requirements should be considered:

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscaping and landscape buffers.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree preservation plan.
6. Division of Fire's approval of emergency access and fire hydrant locations.
7. Division of Waste Management's approval of refuse collection locations.
8. Resolve status and termination of Sanford Way.
9. Resolve landscaping or maintenance of the shared access with Lot 17.
10. Discuss proposed access to Sir Barton Way.

- l. DP 2012-108: EASTLAND BOWLING LANES (AMD) (2/13/13)* - located at 750 East New Circle Road. (Council District 5) **(Vision Engineering)**

Note: The purpose of this amendment is to add a car dealership, and to revise parking and circulation.

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The Subdivision Committee Recommended: **Approval**, subject to the following conditions:

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscaping and landscape buffers.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree preservation plan.
6. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
7. Division of Fire's approval of emergency access and fire hydrant locations.
8. Division of Waste Management's approval of refuse collection.
9. Correct note #6.
10. Correct note #11.

- m. DP 2012-111: BLUEGRASS BUSINESS PARK, LOT 4 (PEMBERTON FARM & BURKE, HOCKENSMITH & MAGGARD, UNIT 5 (2/13/13)* - located at 2151 & 2221 Georgetown Road.
(Council District 2) **(Strand & Associates)**

The Subdivision Committee Recommended: **Approval**, subject to the following conditions:

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscaping and landscape buffers.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree preservation plan.
6. Department of Environmental Quality's approval of environmentally sensitive areas.
7. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
8. Division of Fire's approval of emergency access and fire hydrant locations.
9. Division of Waste Management's approval of refuse collection locations.
10. Clarify proposed detention areas on the north of the property.
11. Document compliance with Article 18 landscaping requirements on plan.
12. Division of Water Quality approval of crushed rock surface for equipment storage areas and dust control measures.
13. KDOT approval of proposed entrance on Georgetown Road.

- n. DP 2011-19: HAMBURG PLACE OFFICE PARK, LOT 12-A (AMD) (2/26/13)* - located on Pink Pigeon Parkway and Vendor Way. (Council District 6) **(Vision Engineering)**

Note: The Planning Commission originally approved this plan at their March 10, 2011, meeting and reapproved this plan at their October 11, 2012, meeting, subject to the following conditions:

1. Urban County Engineer's acceptance of drainage, storm, and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscaping and landscape buffers.
4. Approval of street addresses as per e911 staff.
5. Urban Forester's approval of tree protection plan.
6. Division of Fire's approval of emergency access and fire hydrant locations.
7. Division of Waste Management's approval of refuse collection.
8. Addition of proposed easements on Lot 13.

Note: The applicant now requests a continued discussion in order to revise the layout of the approved development on this plan.

The Subdivision Committee Recommended: **Approval**, subject to the original requirements:

- o. DP 97-20: COLDSTREAM RESEARCH CAMPUS, UNIT 1-A, LOTS 17 & 18 (AMD) (3/5/13)* - located off Bull Lea Road. (Council District 2) **(Strand Associates)**

Note: The Planning Commission originally approved this plan at their February 20, 1997, meeting, subject to the following conditions:

1. Urban County Engineer's approval of drainage, storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of revised parking and circulation.
3. Building Inspection's approval of landscaping.
4. Correct Commission's certification.
5. Review by the Technical and Subdivision Committee prior to plan certification.

Note: The applicant now requests reapproval of the plan.

* - Denotes date by which Commission must either approve or disapprove plan.

The Staff Recommends: **Reapproval**, subject to the original conditions, revising the following:

1. Urban County Engineer's ~~approval~~ acceptance of drainage, storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of revised parking and circulation, street cross-sections and access.
3. Building Inspection's approval of landscaping and landscape buffers.

- p. DP 2006-119: NDC, UNIT 1 A, LOTS 21D & 21E (AMD.) (3/6/13)* – located at West Reynolds Road and Ruccio Way.
(Council District 9) **(Midwest Engineering)**

Note: The Planning Commission originally approved this plan at their September 14, 2006, meeting, subject to the following conditions:

1. Urban County Engineer's acceptance of drainage, storm, and sanitary sewers.
2. Urban County Traffic Engineer's approval of parking, circulation, access and street cross-sections.
3. Building Inspection's approval of landscaping.
4. Urban Forester's approval of tree preservation areas.
5. Greenspace Planner's approval of the treatment of greenways/bike trails.
6. Division of Fire's approval of emergency access and fire hydrant locations.
7. Division of Solid Waste's approval of refuse collection.
8. Approval of street names and addresses per e911 staff.
9. Correct site statistics (zoning).
10. Update plan with all current information.
11. Complete and clarify labeling of all building lines and easements.
12. Remove the word "proposed" from Lot(s) 21D and 21E.
13. Delineate fronts of new buildings.
14. Denote: There shall be no outdoor sales in front of the building line.
15. Delete access point from Lot 21E inside the curve of Ruccio Way.
16. Identify the offset setback as required by Article 12-7(b) in the Zoning Ordinance.

Note: The applicant now requests reapproval of the plan.

The Staff Recommends: **Reapproval**, subject to the original conditions, revising the following:

3. Building Inspection's approval of landscaping and landscape buffers.

- C. PERFORMANCE BONDS AND LETTERS OF CREDIT** – Any bonds or letters of credit requiring Commission action will be considered at this time. The Division of Engineering will report at the meeting.

- VI. ZONING ITEMS** - The Zoning Committee met on Thursday, December 6, 2012, at 1:30 p.m. in the Division of Planning Office. The meeting was attended by Commission members Carla Blanton, Mike Cravens, Lynn Roche-Phillips, and Bill Wilson. The Committee reviewed applications, and made recommendations on zoning items as noted.

A. ABBREVIATED PUBLIC HEARINGS ON ZONE MAP AMENDMENTS AND RELATED PLANS

The staff will call for objectors to determine which petitions are eligible for abbreviated hearings.

Abbreviated public hearings will be held on petitions meeting the following criteria:

- The staff has recommended approval of the zone change petition and related plan(s)
- The petitioner concurs with the staff recommendations
- Petitioner waives oral presentation, but may submit written evidence for the record
- There are no objections to the petition

- B. FULL PUBLIC HEARINGS ON ZONE MAP AMENDMENTS AND RELATED PLANS** – Following abbreviated hearings, the remaining petitions will be considered.

The procedure for these hearings is as follows:

- Staff Reports (30 minute maximum)
- Petitioner's report(s) (30 minute maximum)
- Citizen Comments
 - (a) proponents (10 minute maximum OR 3 minutes each)
 - (b) objectors (30 minute maximum) (3 minutes each)
- Rebuttal & Closing Statements
 - (a) petitioner's comments (5 minute maximum)
 - (b) citizen objectors (5 minute maximum)
 - (c) staff comments (5 minute maximum)
- Hearing closed and Commission votes on zone change petition and related plan(s)

Note: Requests for additional time, stating the basis for the request, must be submitted to the staff no later than two days prior to the hearing. The Chair will announce its decision at the outset of the hearing.

* - Denotes date by which Commission must either approve or disapprove plan.

Note: The Planning Commission considered this request at its meeting on November 15, 2012, and a motion for approval received a tie vote of 4-4. The Commission will have the opportunity to either reconsider that motion, or consider another motion.

1. GREER LAND CO. – SMYRNA #2, LLC, ZONING MAP AMENDMENT & JAMES W. ATKINS, JR., PROPERTY ZONING DEVELOPMENT PLAN

- a. MAR 2012-12: GREER LAND CO. – SMYRNA #2, LLC (12/13/12)* - petition for a zone map amendment from an Agricultural Urban (A-U) zone to a Neighborhood Business (B-1) zone, for 2.79 net (5.05 gross) acres, for property located at 3939 Tate Creek Road.

LAND USE PLAN AND PROPOSED USE

The 2007 Comprehensive Plan (Sector 10) recommends Medium Density Residential future land use for the subject property, defined as 5–10 dwelling units per net acre. The petitioner proposes a Neighborhood Business (B-1) zone to develop a branch bank and a coffee shop, both with a drive-through and associated off-street parking.

The Zoning Committee took no action on this request.

The Staff Recommends: **Disapproval**, for the following reasons:

1. The existing Agricultural-Urban (A-U) zoning for the subject property is appropriate for the subject property, given that greater than 90% of the property is located within a Special Flood Hazard Area (either floodway or floodplain), and it is compatible with the existing residential zoning of the surrounding neighborhood, as well as the agricultural zoning of the utility sub-station to the west of the subject property. The proposed B-1 zone is inappropriate at this location because it will require significant physical alteration of the property through construction of a retaining wall, as well as re-grading the property by adding eight feet of fill in order to make it developable for commercial use that includes drive-through facilities.
 2. There have been no unanticipated changes in the immediate area of an economic, social or physical nature since the Comprehensive Plan was adopted in 2007.
 3. There is no compelling need for the commercial development proposed in this area, given that extensive development in environmentally sensitive areas is being proposed without approval by state and/or federal agencies, and that the Tate Creek Shopping Center exists immediately to the south and has numerous vacancies.
- b. ZDP 2012-63: JAMES W. ATKINS, JR. PROPERTY (12/13/12)* - located at 3939 Tate Creek Road.
(Vision Engineering)

The Subdivision Committee Recommended: **Disapproval**, for the following reasons:

1. The development proposes to excavate and fill in the floodplain, both of which are prohibited by Article 19-7 of the Zoning Ordinance.
2. The subject property could possibly be developed utilizing buildings that would be above the regulatory floodplain, and with parking and access that does not alter the floodplain areas, but that is not currently proposed.

2. ANDERSON CAMPUS RENTAL PROPERTIES, LLC, ZONING MAP AMENDMENT & SOUTH BROADWAY PLACE & LYNN GROVE ADDITION ZONING DEVELOPMENT PLAN

- a. MARV 2012-19: ANDERSON CAMPUS RENTAL PROPERTIES, LLC (2/13/13)* - petition for a zone map amendment from a Single Family Residential (R-1D) zone to a High Density Apartment (R-4) zone, for 1.976 net (2.731 gross) acres, for properties located at 116 & 118 Simpson Avenue; 1100-1110 Prospect Avenue; and a portion of 101 & 103 Burley Avenue. A dimensional variance is also requested with this zone change.

LAND USE PLAN AND PROPOSED USE

The 2007 Comprehensive Plan (Sector 4) recommends a combination of future land uses for the subject property – Medium Density Residential (MD) future land use for the 10 parcels that have frontage along Simpson and Prospect Avenues and Greenspace/Open Space future land use for the rear portion of 101 and 103 Burley Avenue. The applicant proposes redeveloping the subject property with a mixture of townhouses and apartment buildings; a total of 78 dwelling units are proposed, with 108 bedrooms, and associated off-street parking, for a residential density of 39.47 dwelling units per net acre (28.56 units per gross acre). A dimensional variance is also being requested with this zone change.

The Zoning Committee Recommended: **Approval**, for the reasons provided by staff.

The Staff Recommends: **Approval**, for the following reasons:

1. The requested High Density Apartment (R-4) zoning for the subject property is not in agreement with the 2007 Comprehensive Plan's recommendation for Medium Density Residential land use, defined as 5–10 dwelling units per net acre. However, a recent zone change request has been granted in the immediate area that has created a major change of a physical and economic nature and that has changed the basic character of the area that were not

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anticipated by the 2007 Comprehensive Plan. The rezoning of adjacent properties to the R-1T zone has increased the permitted density of land use in this area over that recommended by the Plan.

2. The proposed R-4 zone is appropriate for several reasons:
 - a. The proposed development, including the expansion of University Village Apartments, will create a step-down in density from a very high density residential land use, to the planned redevelopment with frontage along Burley Avenue.
 - b. The highest density development in the neighborhood will be situated adjacent to the railroad, thus buffering the single-family residences from the noise and dust associated with the Norfolk-Southern rail corridor.
 - c. The University Village Apartments, located to the north, are also zoned R-4 and the proposed zoning will allow for the two developments to be integrated.
3. This recommendation is made subject to approval and certification of ZDP 2012-110: South Broadway Place & Lynn Grove Addition prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.

b. REQUESTED VARIANCES

1. Reduce the project exterior yard requirement for a group residential project from twenty (20) feet to three (3) feet for the southwestern property line.

The Staff Recommends: Approval of the requested setback variance from 20 feet to 3 feet, for the following reasons:

- a. Granting the requested variance should not adversely affect the public health, safety or welfare, nor alter the character of the general vicinity, as the Group Residential Project portion of the development will be interconnected through shared parking and other amenities with the townhouses and detached single-family residential structures to which the required setback applies.
- b. Approval of the variances will not result in an unreasonable circumvention of the Zoning Ordinance. The applicant's proposal for a unified development that transitions and incorporates a variety of residential types and densities is compatible with the surrounding neighborhood.
- c. The unique circumstance that applies to this Project is that the required project exterior yard is unnecessary due to the applicant's desire to blend the proposed housing types and shared parking lot. This is a unique circumstance that does not typically apply to most Group Residential Projects, because the purpose of the exterior yard is to buffer adjacent properties from a typically more intense apartment complex.
- d. Strict application of the requirements of the Zoning Ordinance would create an unnecessary hardship to the applicant, and would likely not result in a more compatible development proposal.
- e. The circumstances surrounding this request are not the result of actions taken by the applicant, but rather by the desire to retain and blend three detached single-family homes on Burley Avenue with the new townhouses and apartments as a unified development.

This recommendation of approval is made subject to the following conditions:

1. Provided the Urban County Council rezones the property R-4; otherwise, any Commission action of approval of this variance is null and void.
 2. Should the property be rezoned, it shall be developed in accordance with the approved Development Plan, or as amended by a future Development Plan approved by the Commission, or as a Minor Amendment permitted under Article 21-7 of the Zoning Ordinance.
 3. A note shall be placed on the Zoning Development Plan indicating the variance that the Planning Commission has approved for this property (under Article 6-4(c) of the Zoning Ordinance).
 4. Prior to any construction, the applicant shall obtain a Zoning Compliance Permit, a building permit and all applicable Federal, State, and Local approvals.
- c. ZDP 2012-110: SOUTH BROADWAY PLACE & LYNN GROVE ADDITION (2/13/13)* - located at 116, 118 & 201 Simpson Avenue; 99-101 and 109-119 Burley Avenue and 1100-1110 Prospect Avenue.

(Barrett Partners)

Note: The purpose of this amendment is to incorporate new townhomes and apartments into the existing multi-family development.

The Subdivision Committee Recommended: Approval, subject to the following conditions:

1. Provided the Urban County Council rezones the property R-4; otherwise, any Commission action of approval is null and void.
2. Urban County Engineer's acceptance of drainage, storm and sanitary sewers and floodplain information.
3. Urban County Traffic Engineer's approval of parking, circulation, access and street cross-sections.
4. Building Inspection's approval of landscaping and landscape buffers.
5. Urban Forester's approval of tree inventory map.
6. Provided the Planning Commission grants the requested variances.
7. Denote that a waiver of the proposed Simpson Avenue street termination will be required at the final development plan stage.

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8. Denote that Urban County Council closure of Prospect Avenue will be required prior to certification of final development plan.
9. Denote compliance with Article 18 requirements for zone-to-zone screening.
10. Resolve extent of proposed underground storm water detention and timing of improvements at final development plan.
11. Resolve proposed townhouse lotting on private street.

C. PUBLIC HEARINGS ON ZONING ORDINANCE TEXT AMENDMENT REQUESTS

1. **ZOTA 2012-9: AMENDMENTS TO ARTICLES 1, 8 & 12 FOR MODIFICATIONS TO THE B-1 ZONE** – petition for a Zoning Ordinance text amendment to Articles 1, 8, and 12 to make various modifications to the B-1 zone, including the addition of several new definitions.

INITIATED BY: Urban County Planning Commission

PROPOSED TEXT: *(Copies of the full proposed text are available upon request)*

Revised Staff Alternative Text:

8-16(c) Accessory Uses

1. Parking areas or structures.
2. One (1) dwelling unit for owners, operators, or employees of a permitted use, provided that such dwelling unit shall be a part of the building and located above or to the rear of such permitted uses.
3. Warehousing, wholesaling, and storage, excluding outdoor storage; and provided that no building for such accessory use shall have openings other than stationary windows or solid pedestrian doors within one hundred (100) feet of any residential zone.
4. ~~The rental of trucks (single rear axle — 28' maximum overall length); trailers, and related items in conjunction with the operation of an automobile service station, provided the service station abuts a state or federal highway and does not abut a residential zone. No more than five (5) trucks shall be stored for longer than forty eight (48) hours on any service station. A site plan shall be submitted for the approval of the Division of Building Inspection for the control of such activities and shall show the entire property, signs, parking and location of the proposed storage area.~~
- 4.5. The sale of malt beverages, wine, or alcoholic beverages, when accessory to a restaurant permitted under Section 8-16(b)(3). Such accessory use shall not devote more than twenty-five percent (25%) of its public floor area ~~exclusively~~ primarily to the preparation and service of such beverages, nor provide any separate outside entrances or separate identification signs for those areas.
6. ~~Drive-through facilities for the sale of goods or products or the provision of services otherwise permitted herein.~~
- 5.7. ~~Satellite dish antennas, as further regulated by Article 15-8.~~
- 6.8. ~~One (1) or two (2) pool or billiard tables within an establishment.~~
7. ~~Sidewalk cafés, when accessory to any permitted restaurant.~~
8. ~~Retail sale of liquid propane (limited to 20 lb. containers), when accessory to the retail sale of merchandise or an automobile service station permitted under Article 8-16(b).~~
9. Indoor live entertainment and/or dancing, when accessory to a restaurant, brew-pub or banquet facility; ~~but only when located more than one hundred (100) feet from a residential zone.~~
10. ~~Drive-through facilities for the sale of goods or products or the provision of services otherwise permitted herein, when approved by the Planning Commission on a development plan.~~

8-16(d) Conditional Uses

1. Self-service car washes, provided that surface water from such establishments shall not drain onto adjacent property, and that adequate on-site storage lanes and parking facilities shall be provided so that no public way shall be used for such purposes.
2. Animal hospital or clinic, provided that all exterior walls are completely soundproofed, and further provided that animal pens shall be completely within the principal building and used for the medical treatment of small animals.
3. The rental of trucks (single rear axle - 28' maximum overall length); trailers and related items in conjunction with the operation of an automobile service station, provided that the service station abuts a state or federal highway ~~when abutting a residential zone~~. No more than five (5) trucks shall be stored for longer than forty-eight (48) hours on any service station. A site plan shall be submitted for the approval of the Board of Adjustment for the continued control of such activity and shall show the entire property, buildings, signs, parking and location of the proposed storage area.
4. A restaurant or brew-pub, without live entertainment or dancing, which devotes more than twenty-five percent (25%) of the establishment's public floor area ~~exclusively~~ primarily to the preparation and service of malt beverages, wine or alcoholic beverages.
5. Outdoor live entertainment and/or dancing, cocktail lounges, ~~brew-pubs~~ or night clubs [unless prohibited under Sections 8-16(e)(14) and (15)]. Such uses shall be located at least one hundred (100) feet from any residential zone and shall be sound-proofed to the maximum extent feasible by using existing technology, with noise or other emissions not creating a nuisance to the surrounding neighborhood.
6. ~~A combination business, office and residential project, provided the following conditions and requirements are met: [including sub-sections a. – s. that follow]~~
- 6.7. ~~Upholstery shop.~~
- 7.8. Mining of non-metallic minerals, but only when the proposal complies with the requirements of the Mining/Quarrying

Ordinance (Code of Ordinances #252-91) and the conditions and requirements as set forth therein. The Board of Adjustment shall specifically consider and be able to find:

- a. That the proposed use will not constitute a public nuisance by creating excessive noise, odor, traffic, dust, or damage to the environment or surrounding properties;
- b. That a reasonable degree of reclamation and proper drainage control is feasible; and
- c. That the owner and/or applicant has not had a permit revoked or bond or other security forfeited for failure to comply with any Federal, State or local laws, regulations or conditions, including land reclamation, pertaining to the proposed use.

~~8.9.~~ Gasoline pumps available to the public without an employee on site, provided a plan is approved by the Board of Adjustment for periodic inspection of the site by an employee for the following purposes:

- a. To check all operating equipment;
- b. To check fire suppression system(s);
- c. To check the condition of the fire alarm(s);
- d. To check for indications of fuel leaks and spillage;
- e. To remove trash from the site;
- f. To monitor the general condition of the site.

~~9.10.~~ ~~Assisted living facilities and rehabilitation homes, but only when located closer more than five hundred (500) feet from a residential zone.~~

~~10. Extended-stay hotels.~~

~~11. Parking lots, provided such uses conform to the conditions of Article 16.~~

~~12. Drive-through facilities for the sale of goods or products or the provision of services otherwise permitted herein, except as accessory uses herein.~~

The Zoning Committee Recommended: **Approval, including the Staff Alternative Text**, for the reasons provided by staff.

The Staff Recommends: **Approval, including the Staff Alternative Text**, for the following reasons:

1. The text amendment will be in agreement with the Implementation Element and Table of the 2007 Comprehensive Plan, which identified the "neighborhood business zone rewrite" as a necessary task following the completion of the *Non-Residential Infill Study*. The Study suggested adjusting land uses permitted within the Neighborhood Business (B-1) zone and relaxing setbacks and height limitations.
2. The proposed amendment meets many of the recommendations of the *Non-Residential Infill Study*, and accomplishes other minor improvements to the B-1 zone to make it more compatible with residential neighborhoods.
3. The creation of a "form-based neighborhood business project" will provide added flexibility for redevelopment in the Infill and Redevelopment Area, and will provide for more compatible development with the existing character of an area.

2. **ZOTA 2012-15: PARKING, PRIVATE WALKWAYS AND PAVED AREAS IN RESIDENTIAL ZONES** – petition for a Zoning Ordinance text amendment to modify the definition of "driveway, for single-family and two-family dwellings;" to create new definitions for "paved area" and "private walkway;" and to limit the size, material, and configuration of private walkways and driveways, in the front yard of single-family and two-family dwellings.

INITIATED BY: Urban County Planning Commission

PROPOSED TEXT: *(Copies of the proposed text are available upon request)*

Staff Alternative Text:

DRIVEWAY, FOR SINGLE FAMILY AND TWO-FAMILY DWELLINGS - A private paved vehicular access, a maximum of twenty-four (24) feet in width, or ten (10) feet in width when inside the Infill and Redevelopment Area, extending on the shortest reasonable path through the front yard or side street side yard to the required off-street parking area. All other areas paved for vehicular use within any front or side street side yard shall be considered additional parking and shall be subject to the area limitations and landscaping requirements of this Zoning Ordinance.

Note: The Staff Alternative Text also removes the proposed change from 10' to 12' in Sections 16-4(a) and 16-4(b)3(b).

The Zoning Committee Recommended: **Approval of the revised staff alternative text**, for the reasons provided by staff.

The Staff Recommends: **Approval, of the Staff Alternative Text** for the following reason:

1. The proposed text amendment will enhance zoning compliance and enforcement by clarifying parking regulations and closing certain loop holes that were being used to circumvent the Zoning Ordinance requirements for maximum parking, landscaping and stormwater controls.
2. Adoption of the staff alternative text will further the intent of the Zoning Ordinance by clarifying certain design standards related to parking for single- and two-family homes, thereby reducing the potential for zoning violations.

3. **ZOTA 2012-17: AUTOMOBILE & REFUELING STATIONS FOR THE DISPENSING OF COMPRESSED NATURAL GAS OR LIQUEFIED PETROLEUM** (12/21/12)* - petition for a Zoning Ordinance text amendment to define "automobile and

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refueling stations" and allow for the dispensing of compressed natural gas and any liquefied petroleum in business and industrial zones, either as a principal use or as a conditional use.

INITIATED BY: Urban County Council

PROPOSED TEXT: *(Copies of the proposed text are available upon request)*

Staff Alternative Text:

16-8(c)REQUIRED DISTANCES BETWEEN AUTOMOBILE & VEHICLE REFUELING STATIONS DISPENSING COMPRESSED NATURAL GAS AND / OR LIQUID NATURAL GAS AND OTHER USES – In addition to the requirements of this section (above), no stationary dispensing equipment for compressed natural gas or liquid natural gas associated with an automobile & vehicle refueling station may be located within:

- (1) ten (10) feet of any sidewalk, walkway, parking lot **and or** property line;
- (2) fifteen (15) feet of any electrical source **and or** any overhead electric utility line;
- (3) fifty (50) feet of a right-of-way line, a building on another lot, **and or** the nearest rail of any railroad line;
- (4) sixty-five (65) feet of a residential zone;
- (5) not less than fifty (50) feet of a fire hydrant.

The Zoning Committee Recommended: **Approval of the Staff Alternative Text**, for the reason provided by staff.

The Staff Recommends: **Approval of the Staff Alternative Text**, for the following reason:

1. The proposed text amendment to Articles 1, 8 and 16 of the Zoning Ordinance will define and permit (either as a principal or conditional use) compressed natural gas (CNG) or liquefied petroleum (LNG) dispensing and refueling stations, which are currently not permitted in Lexington-Fayette County. CNG and LNG are more efficient and cleaner fuel options for personal or fleet vehicles, and providing for such dispensing stations for a broader range of fuel is environmentally friendly.
4. **ZOTA 2012-18: MODIFY REGULATIONS FOR WALL SIGNAGE IN THE P-1 AND MU-1 ZONES** (1/1/13)* - petition for a Zoning Ordinance text amendment to modify the requirements for a third wall sign in the Professional Office (P-1) and Mixed-Use 1: Neighborhood Node (MU-1) zones.

INITIATED BY: Urban County Council

PROPOSED TEXT: (Note: Text underlined indicates an addition, and text ~~dashed through~~ indicates a deletion to the current Zoning Ordinance.)

ARTICLE 17: SIGN REGULATIONS

17-7(e) PROFESSIONAL OFFICE ZONE (P-1) AND MIXED-USE 1: NEIGHBORHOOD NODE ZONE (MU-1)

Permitted signs may be either free standing or wall mounted, as specifically noted; signs shall be non-illuminated, indirectly illuminated, or internally illuminated unless otherwise specified. No free-standing sign shall exceed ten (10) feet in height.

- (1) ~~One free-standing identification or business signs, limited to one free-standing sign per building and one wall mounted sign per street frontage, with a maximum of two such wall mounted signs per building; free-standing sign not to exceed forty (40) square feet in area with a ; wall-mounted sign not to exceed five percent (5%) of the wall area to which it is attached; minimum setback of ten (10) feet for a free-standing identification sign.~~
- (2) ~~(Note: Where~~ One wall-mounted identification or business sign for buildings with one street frontage, not to exceed five percent (5%) of the wall area to which it is attached. When a free-standing sign is not utilized on a lot with only one street frontage, a second wall-mounted sign on a different building face shall be permitted as regulated above in place of the permitted free-standing sign.)
- (3) Two wall-mounted identification or business signs for buildings with two street frontages, located on separate wall faces, not to exceed five percent (5%) of the wall area to which the signs are attached.
- (4) Three wall-mounted identification or business signs for buildings three (3) stories or taller with two street frontages, located on separate wall faces, not to exceed five percent (5%) of the wall area to which the signs are attached. Signs not located on a street frontage shall not be placed on a building face directly adjacent to any residential zone.

Re-number remaining sections

* - Denotes date by which Commission must either approve or disapprove plan.

The Zoning Committee Recommended: **Approval**, for the reasons provided by staff.

The Staff Recommends: **Approval** for the following reasons:

1. The proposed text amendment will allow a slight adjustment to the otherwise permitted signage in the Professional Office (P-1) and Mixed Use: 1 Neighborhood Node (MU-1) zones. Obtaining a third wall sign is already permitted in a Professional Office Park setting, and this amendment will provide more flexibility within the community for similarly situated buildings and multi-tenant buildings.
2. The community's signage has been regulated in a tiered approach so that the least intensive business zones have the least intensive signage, and the most intensive business zones permit a greater number of signs, and ones that may be taller or larger in size. The proposed text remains consistent with the existing tiered approach of *Article 17: Sign Regulations*.

VII. COMMISSION ITEMS – The Chair will announce that any item a Commission member would like to present will be heard at this time.

- A. CT 2012-1 (12/13/12)*** – An application for construction of a 199' cellular tower monopole in the Agricultural Rural (A-R) zone, at 1811 Iron Works Pike.

Staff Recommendation

The staff recommends approval. Although the application does not meet the yard requirements of the Zoning Ordinance along one property line, the height-to-yard ratio will be met on the remaining three sides. According to information contained in the Uniform Application, the proposed location is the most feasible location for the proposed tower, which is needed to remedy the situation of 8% call blockage in the area (more specifically within AT&T's search ring).

Granting the requested height-to-yard variance is justified because, although the tower could theoretically be located nearer the center of the property where it would meet all yard requirements; practically speaking, where it is proposed is the most logical with regard to the function of the farm and the amount of paving that would be required for the access road if located elsewhere on the property. The applicant has tried to locate on other properties in the area and has been unsuccessful in attempts to negotiate an alternative location. The subject property is deep enough to accommodate the proposed tower, allowing it to be 1,250 feet from the roadway of a designated Scenic Byway, and is one of only a few in the area that is large enough to accommodate the tower that is not under PDR protection. Granting the landscape variance is justified due to the amount of natural screening on the property in the area where the tower is proposed, by way of tree lines and existing buildings.

This Recommendation of Approval is subject to the following conditions:

1. That the proposed tower be constructed in the location and in the manner depicted on the site plan submitted as part of the Uniform Application, unless required by the Planning Commission to be central to the property.
2. That the fenced area be screened by an 8-foot privacy fence, according to the requirements of Article 25.
3. That any applicable permits be obtained from the Division of Building Inspection prior to construction and/or deployment of the tower.

- B. PFR 2012-4: DEPARTMENT OF MILITARY AFFAIRS AND BLUEGRASS STATION – COMMONWEALTH OF KENTUCKY DEPARTMENT FOR FACILITIES AND SUPPORT SERVICES (1/5/13)*** – a Public Facility Review for the proposed construction of a warehouse/office space for use by multiple agencies on the Bluegrass Station property.

SUMMARY FINDINGS: Although not in compliance with the Land Use Element of the Comprehensive Plan, the text of the 2007 Plan, as cited, clearly supports the proposed improvements to the Bluegrass Station property. The Goals, Objectives and text that reference environmental stewardship and protection, as well as provision of employment opportunities and economic development, will be enhanced by the proposed additional use of the property, provided Best Management Practices are used when grading the property and constructing the proposed building.

STAFF RECOMMENDATION: Approval, as requested. Although exempt from zoning regulations, safety, health, and environmental health issues must be considered when doing any type of construction, particularly when it is for the purpose of human habitation/use. It is therefore recommended that any permits that would generally be applicable to construction, including a land disturbance permit from the Division of Engineering, a building (and any other applicable) permit from the State, and an inspection by Lexington-Fayette County's Division of Fire (Fire Marshal), be obtained prior to construction and/or occupancy of the building.

- C. INITIATION OF ZONING ORDINANCE TEXT AMENDMENTS** – The staff will request initiation of four Zoning Ordinance Text Amendments related to Zoning Enforcement:

1. Vehicle Repairs Accessory to a Residential Use
2. Parking and Storage of Vehicles, Trailers, Equipment and Materials in Residential Zones
3. Temporary Signage
4. Zoning Enforcement Abatement Authority

The Staff will report at the hearing.

* - Denotes date by which Commission must either approve or disapprove plan.

- D. **ANNUAL REPORT FROM PURCHASE OF DEVELOPMENT RIGHTS PROGRAM** – The Commission will hear from Mr. Billy Van Pelt, who will present the required Annual Report from the Rural Land Management Board.
- E. **ANNUAL REPORT FOR THE COURTHOUSE AREA** – The Commission will hear from Mr. Billy Van Pelt, who will present the required Annual Report from the Courthouse Area Design Review Board.

VIII. **STAFF ITEMS**

A. **Planning Services Activity Report**

- During the month of November, the Planning Services staff processed 7 zoning map amendments and 5 text amendments to the Zoning Ordinance. Also, 13 Board of Adjustment cases were processed for the Board of Adjustment. All of the new written staff reports for these items were forwarded to those appellants at least five working days in advance of the scheduled public hearings.
- Processing of the above items included attendance and/or preparation of materials and presentations for the following: Technical, Subdivision and Zoning Committee meetings, one Planning Commission public hearing, one Planning Commission public meeting, one Planning Commission work session and one Board of Adjustment public hearing. In addition, the staff held five pre-application conferences for zoning applications, and several other pre-application meetings for subdivision plans, development plans and appeals to the Board of Adjustment.
- In November, there were 10 updates made to the Registered Neighborhood Association data base. Planning Services staff assisted 181 unscheduled “walk-in” visitors to the office, 179 of which were served within 15 minutes of their arrival. Those office visitors were placed with a professional planning staff member in an average of 1.62 minutes. Much of the remainder of the staff’s time was spent answering numerous telephone and e-mail inquiries from people concerning zoning regulations, subdivision plans, Board of Adjustment (BOA) appeals, development plans and related items, or posting applications and submitted plans on the Division of Planning web-page.
- In November, Planning Director Chris, King, Bill Sallee, Administrative Officer Barbara Rackers and Senior Planner Traci Wade continue to meet with the Recreation ZOTA Work Group, established by Vice-Mayor Gordon to assess and make recommendations to improve recreation and tourism on a county-wide basis. Additional meetings were held with two new sub-committees of the Work Group—one reviewing revisions to the A-N zone, and the other reviewing the regulations in the B-1 zone.

B. **Zoning Enforcement Activity Report**

- ZE staff had a chance to “regroup” a bit during November, as the number of citizen complaints about zoning issues dropped to 25, markedly down from 48 in October. Those 25 new cases were in addition to 48 unresolved complaints that were carried over from October. Of the 73 complaint cases worked on in November, 5 were determined not to be zoning violations. A total of 32 cases were resolved, meaning that the necessary actions were taken by a property owner and/or tenant to bring a property into compliance.
- November enforcement activities included the usual mix of different types of cases. Several occupancy issues were resolved, which required at least in one instance that a renter be relocated to an alternative location. A cabinet making business was moved from a residential area (where noise disturbances were problematic) to a more suitable site. An agreement was reached with the owner of an agricultural property near the Athens Boonesboro Road and I-75 interchange to have trucking activity (dirt and rock transported to and from site) curtailed along with property improvements and land restoration to be completed in a timely manner.
- Although far from being totally resolved, significant progress was made with regard to two very challenging enforcement cases in the rural area. A property owner with a junk/storage yard in the rural area of eastern Fayette County was served with a criminal complaint toward the end of November, and arraignment before a District Court judge has been set for December 27. On the north side of Lexington, the continued operation of a commercial quarry (without the benefit of a conditional use from the Board of Adjustment) was confirmed, which has prompted the scheduling of a revocation hearing for that property’s composting conditional use, said hearing to be held on January 25, 2013, at the BOA’s regularly scheduled hearing for January.
- Monitoring of conditional use permits that have been granted by the Board of Adjustment or by the Planning Commission (in conjunction with a zone change request) was continued in November. By law, every conditional use is required to be inspected for compliance at least once per year. During November 43 conditional uses were inspected, and all were determined to be in substantial compliance.
- Efforts to monitor compliance with conditional zoning restrictions adopted by the Urban County Council also continued in November, with 10 sites inspected. It is anticipated that the ZE team will complete an initial review by the end of this year

* - Denotes date by which Commission must either approve or disapprove plan.

of the 305 or so zone changes that had conditional zoning restrictions applied. So far, only one instance of noncompliance has been discovered

- Several proposed Zoning Ordinance text amendments related to enforcement were introduced to the Planning Commission at the November 29 work session, relating to (1) vehicle repairs as accessory to a residential use; (2) parking and storage of business vehicles, equipment, materials and supplies in residential zones; (3) regulation of temporary signage; and (4) the expansion of government abatement authority in situations involving a continuing public nuisance. Each text amendment is considered critical to improving the effectiveness of enforcement efforts and ultimately providing better protection of neighborhoods and streetscapes.

C. Long Range Planning Activity Report

- Greenspace Trust and Commission – The Greenspace Trust received an update from Susan Plueger with the LFUCG Division of Water Quality on the progress of the Coldstream Supplemental Environmental Project. Ms. Plueger presented a handout entitled *Lexington-Fayette Urban County Government Consent Decree Supplemental Environmental Project: Coldstream Park Stream Corridor Restoration and Preservation*. The Coldstream Park plan is expected to include one mile of stream and wetlands restoration at a minimum cost of \$1,000,000 over a five-year timeline. Proposed project features include stream realignment, floodplain excavation, grade control structures across the floodplain, floodplain wetlands, aquatic habitat, stormwater treatment wetlands, bio-swale, and educational signage. Ms. Plueger also discussed the possibility of two additional stormwater wetland complexes and a fishing pond as alternatives to the proposed project bid.

Following the Greenspace Trust meeting, the Greenspace Commission, which is composed of the same members as the Trust, continued to organize data and information for the Green Infrastructure Element of the 2012 Comprehensive Plan. The Commission has spent the last year in discussions with community leaders from a variety of fields related to green infrastructure. They will assemble the information into recommendations for the Comprehensive Plan and present them to the Planning Commission this winter.

- Regional Planning Commission – Staff attended the bi-monthly meeting of the Bluegrass Regional Planning Commission at the office of the Bluegrass Area Development District. The program included a presentation and discussion by representatives of the Kentucky Transportation Cabinet and the MPO about the proposed I-75 connector in Jessamine County. There is ongoing evaluation of the location of the corridor for the project and how it would be funded. A construction schedule has not been set.
- Fayette County Public Schools – Staff attended a public hearing of the FCPS Local Planning Committee where a proposal was presented to construct several new schools and renovate many others. The LPC, which includes teachers and other school officials, parents, and community leaders, developed a plan to address the building needs of FCPS. School staff provided data about student enrollment and projections and the condition of existing buildings. The LPC took public comment on the plan, which will be presented to the Fayette County Board of Education and must also be approved by the Kentucky Department of Education. Highlights of the plan include construction of a new high school, middle school, and three elementary schools. The Plan also calls for extensive renovation and new construction at many schools across the district as well as construction of early start schools and a university high school in conjunction with the University of Kentucky.
- Development Review – Staff conducted a variety of development review duties and meetings, conducted field work, and coordinated greenway and greenspace development issues.
- General Work Activities – Using GIS, and Census data, staff created maps and data sets for the Urban County Council, other LFUCG Departments, and agencies and officials outside the government. Staff also attended LFUCG-sponsored trainings and presentations by other local officials.

D. Transportation Planning Activity Report

1.1 Surveillance –

- The MPO staff continues to monitor the Comprehensive Plan(s) and land development activities through participation in the LFUCG Division of Planning activities and monitoring Fayette and Jessamine County news media and their legal ads on a daily, weekly, and monthly basis.
- Staff attended Blue Grass Airport Board Meeting.
- Staff attended BG Airport Master Plan Update public meeting.

1.2 Title VI/ADA –

- The MPO staff continues to monitor the Title VI/ADA through participation and monitoring of Fayette and Jessamine County planning and zoning information on a daily, weekly, and monthly basis.

1.3 Participation Process –

- MPO Website Development – In November, the MPO website had 143 unique visitors; 180 visits; and 608 page views.
- The MPO's Twitter site increased its followers to 1,335 at the end of November up from 1,310 at the end of October.
- The MPO's Facebook fan page had 560 likes, reached 8,980 unique users and had 11,574 total daily impressions in November.
- The Lexington Area MPO Youtube channel has a total of 28 videos. The videos have had a total of 29,043 lifetime views with 601 views in November, and the channel has 17 subscribers.
- The Lexington Area MPO Public Participation/Involvement Access Database continues to be updated. The database now includes 1,200 records.
- Staff continued to review and edit the Participation Plan and submitted a draft to KYTC for review.

1.4 Staff Development –

- Staff continues to monitor the latest information from planning, engineering, and traffic engineering publications.
- Staff logged on to a webinar on Effective Practices in Planning for Livability at MPOs.
- Staff attended GIS training.

2.1 Congestion Management Process (CMP) –

- Staff continued to work with the Kentucky Transportation Center (KTC) and Kentucky Transportation Cabinet (KYTC) staff to process the GPS-probe speed data and calculate congestion management criteria and performance measures.
- Staff continued to work on developing the congestion management road segment list and database that are used for documenting corridor congestion management performance measures.
- Staff continued to participate in the administration of the Downtown Traffic Movement and Revitalization Study.
- Staff logged on to a webinar titled INRIX Data as a Tool to meet new US Federal MAP-21 Requirements on November 14.

2.2 Transportation Plan Update –

- Each staff is working on updating corresponding sections in transportation plan 2040
- Staff coordinated 1-on-1 meetings with County Judges, Mayors, and their designated transportation stakeholder groups.

2.3 Air Quality Activities –

- Staff continued to receive air monitor readings to compare to forecasted values for the season.
- Staff coordinated an Empower Lexington Transportation Sub-team meeting.

2.4 Intelligent Transportation Systems (ITS) –

- Staff monitors ITS topics through federal, state, district and local informational e-mail updates, professional literature, and federal and state Traffic Operations guidance manuals.

3.1 Transportation/Traffic and Land Use Impact Analysis –

- Reviewed 8 plans (including plans/development plans/Zoning Development Plans), one (1) zone change, 10 Board of Adjustment cases (to include the cursory review of one (1) variance appeals, nine (9) conditional use/variances, and six (6) administrative reviews; one (1) Urban County Planning Zone Map Amendment and zoning ordinance text amendment on commercial woodlots.
- Monitored Urban County Zoning and Subdivision Regulations as submitted as part of Planning Services Section continual and on-going improvement process; meet once a month to discuss, traffic, and land-use and on-site/off-site issues and regulatory requirements.
- Continued to monitor the Central Baptist Hospital–University of Kentucky Traffic Impact Study and met with all stakeholders to discuss various issues related to the study. Consultant was asked to look at various configurations of roundabouts with a ped and bicycle component, but did not attend and/or report on configurations. Important issues remain and will be revisited at a future meeting in January.
- Reviewed the Jessamine Journal's legal ads for Jessamine, the City of Nicholasville, and the City of Wilmore's proposed land use changes and zoning proposals, and monitored for transportation and related traffic issues in November.
- Traffic counts and roadway functional classification information were provided to five (5) LFUCG planners/professionals in November.

3.2 Multimodal / Transportation Enhancement Planning / Intermodal Planning –

- Staff responded to citizen/agency requests for information on bike and pedestrian issues.
- Staff continued to participate in the work activities for Versailles Road Multimodal Enhancement Design Alternatives Study.

- Staff continued coordination with UK to install bike lanes on Woodland Ave.
- A meeting was held with Mayor Meyer of Nicholasville and JCPS superintendent to advance progress on the study to improve bike/pedestrian access to schools throughout the community. Modifications to the draft scope and project map were prepared.
- Staff worked with Engineering to prepare estimates and conduct field work for bike lane restriping projects.
- Staff worked with Traffic Engineering to improve bike lane markings on state routes.
- Staff updated GIS shape files for the reprint of the bike maps.
- The grant application that was submitted to the Bluegrass Cycling Club for the Bike Lexington event was approved.
- Staff presented to a UK Geography class.
- Staff attended a meeting with FCPS administrators to discuss bike/ped/vehicular access to future schools.
- Staff attended a meeting with District 7 to discuss the location of a trailhead for the US 68 shared use trail.
- Staff attended a Bicycle Facilities Committee Meeting at UK.
- The Bicycle & Pedestrian Coordinator position was advertized.

3.3 Transit Planning –

- Staff coordinating with KYTC, CDP, and landowners to establish CMAQ funded bus shelter on Southland Dr. to be built in spring 2013. Working with Div. of Water Quality on encroachment permit.
- Staff attends Local Food Percolator meetings concerning local food distribution.
- Staff attended “Ethics and Food Systems Planning.” Webinar APA audio conference
- Staff attended ArcGIS 10 training.
- Staff attended LexTran Board Meeting.

3.4 Mobility Office Activities –

- Staff continued to provide administrative services for LexVan program.
- Staff worked with LexTran and LFUCG representatives to draft a form letter that will be sent to LexVan riders to formally inform them that the LexVan program will be transferred to LexTran.
- Staff made and received 25 phone calls this month: 15 vanpools, 5 carpools, 2 Lextrans, and 3 others. .
- Staff met twice with the selected marketing firm for the Mobility Office to discuss future directions.

3.5 Travel Demand Modeling and Forecast –

- Staff attended I-75 connector meeting with KYTC and consultants.
- Staff provided model maps for transportation land use impact analysis.

4.1 Administration –

- Committee meeting packets were drafted for Transportation Planning/MPO meetings held in the month: the Bicycle Pedestrian Advisory Committee (BPAC), the Transportation Technical Coordination Committee (TTCC), and the Project Coordination Team (PCT).

4.2 Transportation Improvement Programming (TIP) –

4.3 Unified Planning Work Program (UPWP) –

- Staff completed the Performance and Expenditure Report, submitted it to KYTC and posted it on the web site.

IX. AUDIENCE ITEMS – Citizens may bring a planning related matter before the Commission at this time for general discussion or future action. Items that will NOT be heard are those requiring the Commission’s formal action, such as zoning items for early rehearing, map or text amendments; subdivision or development plans, etc. These last mentioned items must be filed in advance of this meeting in conformance with the adopted filing schedule.

X. NEXT MEETING DATES

Technical Committee, Wednesday, 8:30 a.m., Planning Division Office (Phoenix Building)	December 19, 2012
Work Session, Thursday, 1:30 p.m., 2 nd Floor Council Chambers.....	December 20, 2012
Subdivision Committee, Thursday, 8:30 a.m., Planning Division Office (Phoenix Building)	January 10, 2013
Zoning Committee, Thursday, 1:30 p.m., Planning Division Office (Phoenix Building)	January 10, 2013
Subdivision Items Public Meeting , Thursday, 1:30 p.m., 2 nd Floor Council Chambers	January 17, 2013
Work Session, Thursday, 1:30 p.m., 2 nd Floor Council Chambers	January 24, 2013
Zoning Items Public Hearing , Thursday, 1:30 p.m., 2 nd Floor Council Chambers	January 31, 2013

XI. ADJOURNMENT